

TEXAS APPRAISER LICENSING
AND CERTIFICATION BOARD

vs.

BYRON N. LEA
TX-1334632-G

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DOCKETED COMPLAINT NO.
06-187

AGREED FINAL ORDER

On this the 21st day of May, 2010, the Texas Appraiser Licensing and Certification Board, (the Board), considered the matter of the certification of Byron N. Lea. (Respondent).

In order to conclude this matter Byron N. Lea neither admits nor denies the truth of the Findings of Fact and Conclusions of Law contained herein and further agrees to the action set out in this Agreed Final Order. The Board makes the following findings of fact and conclusions of law and enters this Order in accordance with TEX. OCC. CODE § 1103.458:

FINDINGS OF FACT

1. Respondent, Byron N. Lea, was a state certified real estate appraiser who held certification number TX-1334632-G during all times material to the above-noted complaint cases.
2. Respondent appraised 1425 Montezuma Street, Columbus, Colorado County, Texas on or about February 3rd, 2005.
3. On or about August 7th, 2006, the Complainant, Judy Alison Redding, filed a complaint with the Board based on allegations that the Respondent had produced an appraisal report that did not comply with the USPAP.
4. After receipt of each complaint, the Board, in accordance with the mandate of the Administrative Procedure Act (the APA), TEX. GOV'T CODE ANN. CHPT. 2001, and TEX. OCC. CODE CHPT. 1103, notified Respondent of the nature of the accusations involved and Respondent was afforded an opportunity to respond to the accusations in the complaints. Respondent's responses were received.
5. Since the time of this complaint, Respondent's state certification as a real estate appraiser has expired and Respondent no longer desires to hold a license, certification, authorization, or registration from the Board. Respondent acknowledges that his certification has lapsed and he is hereby agreeing not to seek renewal of the certification, nor to apply for any authorization, license, certification or registration with the Board in the future.
6. The parties hereby enter into the foregoing consent order in accordance with TEX. OCC. CODE § 1103.458.

CONCLUSIONS OF LAW

1. The Texas Appraiser Licensing and Certification Board has jurisdiction over this matter pursuant to the Texas Appraiser Licensing and Certification Act, TEX. OCC. CODE § 1103 et. seq.

2. The parties are authorized to resolve their dispute by means of a consent order in accordance with TEX. OCC. CODE § 1103.458.

Based on the above findings of fact and conclusions of law, the Board **ORDERS** that Respondent:

1. Shall not seek renewal of his certification, nor apply to the Board for any authorization, license, certification or registration in the future.

Respondent, by signing this Agreed Final Order, waives the Respondent's right to a formal hearing and any right to seek judicial review of this Agreed Final Order. Information about this Agreed Final Order is subject to public information requests and notice of this Agreed Final Order will be published on the Board's web site.

THE DATE OF THIS AGREED FINAL ORDER shall be the date it is executed by the Chairperson of the Texas Appraiser Licensing and Certification Board. The Chairperson has been delegated the authority to sign this Agreed Final Order by the Texas Appraiser Licensing and Certification Board vote.

Signed this 7th day of MAY, 2010.


BYRON N. LEA



TED WHITMER, ATTORNEY FOR
RESPONDENT

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned, on this the _____ day of _____, 2010, by BYRON N. LEA, to certify which, witness my hand and official seal.

Notary Public Signature

Notary Public's Printed Name

Signed by the Standards and Enforcement Services Division this 25th day of May, 2010.



Troy Beaulieu, TALCB Staff Attorney

Signed by the Commissioner this 21 day of May, 2010.


Douglas E. Oldmixon, Commissioner

Texas Appraiser Licensing and Certification Board

Approved by the Board and Signed this 21st day of May, 2010.


James B. Ratliff, Chairperson
Texas Appraiser Licensing and Certification Board

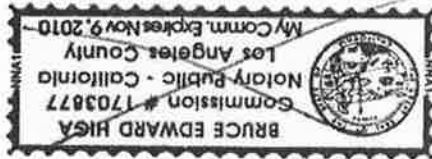
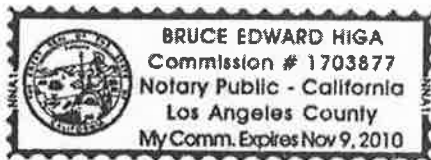
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of LOS ANGELES

On MAY 07 2010 before me, BRUCE EDWARD HIGA (Notary Public)
Date Here Insert Name and Title of the Officer

personally appeared BYRON N LEA
Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: [Signature]
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: AGREED FINAL ORDER

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: TED WHITHER, TROY BRAULIEU, DOUGLAS E. OLIPHANT AND

Capacity(ies) Claimed by Signer(s)

Signer's Name: BYRON N LEA Signer's Name: _____

☐ Corporate Officer — Title(s): _____ ☐ Corporate Officer — Title(s): _____

☒ Individual ☐ Individual

☐ Partner — ☐ Limited ☐ General ☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact ☐ Attorney in Fact

☐ Trustee ☐ Trustee

☐ Guardian or Conservator ☐ Guardian or Conservator

☐ Other: _____ ☐ Other: _____

Signer Is Representing: Self Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
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RIGHT THUMBPRINT
OF SIGNER
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